



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **AS-0**
74193
Amendment 1

September 29, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**LANDSCAPE MAINTENANCE FOR PUBLIC WORKS HEADQUARTERS COMPLEX
AMENDMENT FOR MONTH-TO-MONTH EXTENSION OF CONTRACT
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve amending Contract No. 74193 with TruGreen Landcare, LLC, for "Landscape Maintenance for Public Works Headquarters Complex" to enable this contract to continue on a month-to-month basis for up to six months, starting November 1, 2005.
2. Authorize Public Works to expend an additional amount not to exceed \$23,022 for a period of up to six months for this additional service.
3. Delegate authority to the Director of Public Works to expend up to 15 percent of the additional not to exceed amount for vegetation replacement and additional unforeseen landscape maintenance services.
4. Instruct the Chair to execute this amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to continue these landscape maintenance services on a month-to-month basis, starting November 1, 2005, for a period of up to six months while Public Works completes the solicitation process for a successor contract.

On October 29, 2002, Synopsis 48, your Board approved Contract No. 74193 with TruGreen Landcare, LLC, for landscape maintenance services at Public Works Headquarters Complex.

The contract was for an initial 1-year period with two 1-year renewal options, beginning November 1, 2002. Public Works exercised all renewal options for this contract. This contract is scheduled to expire on October 31, 2005.

Public Works is preparing a solicitation for landscape maintenance agreements, which is substantially complete. Due to the two-step selection process, a number of legal and procedural issues had to be resolved with County Counsel's assistance before the solicitation could be finalized. Consequently, we are now requesting a time extension for a maximum of six months to allow sufficient time to commence and complete the selection process and bid the work.

Implementation of Strategic Plan Goals

This recommended action is consistent with the County Strategic Plan Goals of Organizational Effectiveness and Fiscal Responsibility. This amendment will continue to utilize the contractor's expertise to effectively provide these landscape maintenance services in a timely, responsive, and cost-effective manner as well as improve the quality of life in the County.

FISCAL IMPACT/FINANCING

This amendment is for an amount not to exceed \$23,022, representing the contractors' monthly service cost of \$3,837 for a period of up to six months. In addition, the Director may expend up to 15 percent of the additional amended amount for vegetation replacement and additional unforeseen landscape maintenance services. There will be no impact on net County cost. Financing is available in Public Works' 2005-06 Internal Service budget.

The Honorable Board of Supervisors
September 29, 2005
Page 3

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The amendment has been executed by the contractor and approved as to form by County Counsel.

This amendment will continue the contract's current terms, specifications, and conditions. The billing rates will remain consistent with the existing contract rates. Therefore, the services provided under this extension will continue to be cost-effective.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this amendment will continue the current contract services.

CONCLUSION

One adopted copy of this letter and two executed original amendments are requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel

AMENDMENT 1 TO CONTRACT NO. 74193

LANDSCAPE MAINTENANCE FOR PUBLIC WORKS HEADQUARTERS COMPLEX

This AMENDMENT, made and entered into as of this _____ day of _____, 2005, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, LLC, a California general partnership (hereinafter referred to as CONTRACTOR).

W I T N E S S E T H

WHEREAS, Contract No. 74193 was entered into between the COUNTY and the CONTRACTOR on October 29, 2002, for landscape maintenance services at Public Works Headquarters Complex; and

WHEREAS, Pursuant to Part I, Section 2.G of this Contract, it is to expire on October 31, 2005; and

WHEREAS, Public Works desires that this service is extended on a month-to-month basis for a period of up to six months under the Contract's existing terms and conditions.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 74193 between them shall be amended as follows:

FIRST: Part I, Section 2.G, Duration of Contract, of this Contract is hereby amended and modified to extend the expiration of the term of the Contract on a month-to-month basis for a period of up to six months, beginning November 1, 2005, subject to the following:

- Continuous performance of this Contract is hereby agreed upon by the COUNTY and the CONTRACTOR on the first day of each successive month, for a period of one month, commencing on November 1, 2005, up to the maximum period of six months, through and including April 30, 2006, unless the COUNTY provides written notice of non-renewal at least five days before the first day of the successive one-month term.

SECOND: All other terms, requirements, specifications, conditions, and prices of the original Contract shall remain in full force and effect.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Chair of said Board and the seal of said Board to be affixed and attested by the Clerk thereof, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Chair, Board of Supervisors

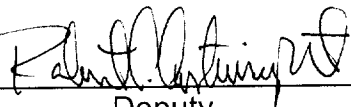
ATTEST:

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

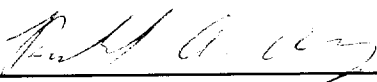
By _____
Deputy

APPROVED AS TO FORM:

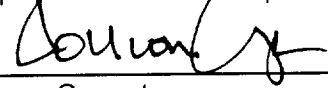
RAYMOND G. FORTNER, JR.
County Counsel

By  _____
Deputy

TRUGREEN LANDCARE, LLC

By  _____
Its President

Richard A. Ascolese
Type or Print Name

By  _____
Its Secretary

Robert C. von Gruben
Type or Print Name

State of TENNESSEE

County of Shelby

On 9-26-05 before me M. ELAINE GREEN

personally appeared Richard A. Ascholtz
Robert C. von Gruben

NAME(S) OF SIGNER(S)

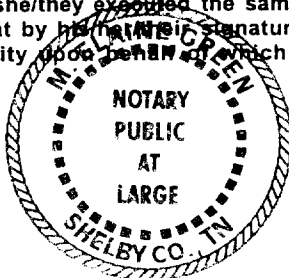
☒ personally known to me -OR- ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

M. Elaine Green

SIGNATURE OF NOTARY

MY COMMISSION EXPIRES JAN. 29, 2008



CAPACITY CLAIMED BY SIGNER(S)

- ☐ INDIVIDUAL(S)
☒ CORPORATE OFFICER(S)

PRESIDENT
SECRETARY

AND

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

TRUGREEN LANDCARE LLC

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____